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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

CLEMENT OBEYA,

Petitioner

v.

ATTORNEY GENERAL JEFFERSON B.  
SESSIONS III, et al.,

Respondents

Case No.: 2:18-cv-01586-JAD-VCF

**Order Directing Government  
to File Status Report**

Petitioner Clement Obeya filed this habeas petition to challenge his detention during removal proceedings initiated on or about November 10, 2008.<sup>1</sup> Respondents advise that, following the filing of the petition, Obeya was released and a motion to terminate the removal proceedings filed.<sup>2</sup> They therefore ask that this action be dismissed with prejudice. Obeya opposes, arguing that as long as the removal proceedings remain pending, he may be re-detained.<sup>3</sup>

I am not inclined to dismiss this action while the removal proceedings initiated on or about November 10, 2008, remain pending, absent an assurance from respondents that petitioner will not be re-detained.<sup>4</sup> Accordingly, **IT IS HEREBY ORDERED** that, respondents have until February 12, 2019, to file a notice that advises the court on the status of petitioner's removal proceedings and the motion to terminate same.

Dated: December 12, 2018

  
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U.S. District Judge Jennifer A. Dorsey

<sup>1</sup> ECF Nos. 6 & 16-1.

<sup>2</sup> ECF Nos. 10 & 16.

<sup>3</sup> ECF Nos. 12 & 13.

<sup>4</sup> See *Diouf v. Napolitano*, 634 F.3d 1081, 1084 n.3 (9th Cir. 2010).